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April 15, 2019

*Via ECF*

Honorable William J. Martini, U.S.D.J.  
U.S. District Court for the District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street, MLK 4B  
Newark, NJ 07101

**Re: Wesley Gachett v. DeVille Asset Management, LTD, et al.**  
**Case No.: 2:18-cv-16119-WJM-MF**  
**Our File No.: 18-099**

Dear Judge Martini:

This firm represents the Plaintiff in the above-referenced matter. The date set forth in the Notice of Call for Dismissal (ECF No. 4) is today, April 15, 2019. Plaintiff writes to request a stay of this matter for the reasons outlined below.

A civil action was filed in the United States District Court for the District of Maryland styled *Securities and Exchange Commission v. Kevin B. Merrill, et al.*, RDB-18-2844. The defendants in the SEC action include Jay B. Ledford, and DeVille Asset Management, Ltd.

On September 13, 2018, an Order Appointing Temporary Receiver (See ECF No. 11 attached as *Exhibit A*) was filed, which includes a Stay of Litigation (Ex. A, ¶¶ 34-36).

34. As set forth in detail below, the following proceedings . . . are stayed upon entry of this Order and until further Order of this Court: All civil legal proceedings of any nature, including, but not limited to, bankruptcy proceedings, arbitration proceedings, foreclosure actions, default proceedings, or other actions of any nature involving: (a) the Receiver, in his capacity as Receiver; (b) any Receivership Assets, wherever located; (c) any of the Receivership Parties, including subsidiaries and partnerships; or, (d) any of the Receivership Parties' past or present officers, directors, managers, agents, or general or limited partners sued for, or in connection with, any action taken by them while acting in such capacity of any nature, whether as plaintiff, defendant, third-party plaintiff, third-party defendant, or otherwise (such proceedings are hereinafter referred to as "Ancillary Proceedings").

35. The parties to any and all Ancillary Proceedings are enjoined from commencing or continuing any such legal proceeding, or from taking any action,

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in connection with any such proceeding, including, but not limited to, the issuance or employment of process.

36. All Ancillary Proceedings are stayed in their entirety, and all Courts having any jurisdiction thereof are enjoined from taking or permitting any action until further Order of this Court. . . .

On September 26, 2018, the Securities and Exchange Commission's Motion for Extension of Temporary Restraining Order Freezing Assets and Granting Other Emergency Relief and Order Appointing Temporary Receiver (ECF No. 22) was granted. This Order continued the Stay of Litigation. (See **Exhibit B**).

On October 4, 2018, a Preliminary Injunction Order, Freezing Assets, and Granting Other Relief (ECF No. 28), was entered. (See **Exhibit C**).

On October 25, 2018, an Order granting the Government's Motion to Intervene (ECF No. 42) was granted. (See **Exhibit D**). Pursuant to the Order, the civil case, *Securities and Exchange Commission v. Kevin B. Merrill, et al.*, RDB-18-2844, "[was] stayed pending the resolution of the criminal action in [the District of Maryland]: *United States v. Kevin B. Merrill, et al*, Criminal No. RDB-18-0465."

To that end, consistent with the above-referenced orders, Plaintiff requests that this matter be stayed pending the civil and criminal proceedings, and that the Notice of Call for Dismissal (ECF No. 4) in this matter be vacated.

Thank you for Your Honor's time and courtesies in this matter.

Very truly yours,

s/Yongmoon Kim  
Yongmoon Kim, Esq.  
KIM LAW FIRM LLC

YK/jy